

# **HOW TO NAME A DEFENDANT**

## **SMALL CLAIMS**

**It is very important to name the defendant correctly, because you will only be able to collect from the party or parties whose name is exactly the same as the name that appears on your claim.**

### **If you are suing an individual.**

Type or print his or her name, middle initial, and last name.

### **If you are suing a company owned by one person.**

You must type or print both the owner and the company. You should also name the owner as the individual to increase your chances of collecting if you win. Write the letters “d.b.a.” (which stands for “doing business as”) between the name of the owner and the company name, if the owner is doing business under a fictitious name.

Example:

Sue Smith, individually and d.b.a. Continental Candies.

### **If you are suing a husband and wife.**

Type or print the husband’s full name and the wife’s full name.

Example:

James A. Jones and Sally R. Jones

If you do not know the wife’s first name, type or print “James A. Jones and Mrs. James A. Jones”.

### **If you are suing a corporation.**

Type or print the exact name of the corporation. Example:

Sally's Dresses, a corporation

or

Sally's Dresses, Inc.

**If a corporation owns a division or subsidiary.**

Designate the division or subsidiary as in the following example:

Lotus Corporation, doing business as The Flower Company.

**You do *not* name an individual when suing a corporation.**

Only the corporation is named. If you wish the court to serve your defendant by certified mail, court staff will need the name of a corporate officer or agent for service.

**If you are suing as a result of a vehicle accident.**

You must name both the registered owner of the vehicle and the driver.